

Our Ref: IM-FOI-2022-0056
Date: 25 January 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Information known to this requester is that it appears that constables of Police Scotland do not record information in their notebooks prior to the transfer of this information onto Police Scotland databases. An example of where this appears to be occurring is with the interim Vulnerable Persons Database (iVPD) and the false police reports made at multi-agency risk assessment conference (MARAC) meetings. As Police Scotland knows the reference number 038004 relates to crimes of falsely accusing (named) person of a crime. Were Police Scotland constables to withhold false police reports from their notebooks but record these same false police reports on a database such as the iVPD, then transfer these false police reports to the Children and Families social work system of a local authority and then "weed" the false police report information from the Police Scotland iVPD then this could only be viewed as Police Scotland failing to enact their wellbeing obligations (to the individual who was being falsely accused of a crime) under the Fire and Police Reform (Scotland) Act 2012 and Police Scotland actively participating in crimes of domestic abuse and coercive control (i.e. Police Scotland acting as proxy agents of abuse to those individuals committing crimes under the Domestic Abuse (Scotland) Act 2016).

As per the Freedom of Information (Scotland) Act 2002 (FOISA 2002) please provide the recorded information (i.e. oath, SOP, conditions of service etc) that identifies and informs a constable of Police Scotland that the constable has a LEGAL RESPONSIBILITY to record all police reports in their notebook (i.e. paper notebook or PRONTO electronic notebook) accurately and read back to the statement giver an accurate account of what has been written prior to recording this information in a Police Scotland database (e.g. the iVPD, the 'Partners Intelligence across Public Protection' database).

In response to your request, I can advise you that the following document is publicly available: Notebooks National Guidance.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland

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when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

The information you are seeking is available via the following link:

<https://www.scotland.police.uk/spa-media/i2uhof3i/notebooks-national-guidance.doc>

Should you require any further assistance please contact Information Management - Dundee on foidundee@scotland.pnn.police.uk quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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